

109TH CONGRESS  
2D SESSION

# H. R. 5783

To amend title 38, United States Code, to improve the security of sensitive personal data processed or maintained by the Secretary of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2006

Mr. BILBRAY introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to improve the security of sensitive personal data processed or maintained by the Secretary of Veterans Affairs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Comprehensive Credit  
5       Services for Veterans Act of 2006”.

1 **SEC. 2. SECURITY OF SENSITIVE PERSONAL DATA PROC-**  
2 **ESSED OR MAINTAINED BY THE SECRETARY**  
3 **OF VETERANS AFFAIRS.**

4 (a) DATA SECURITY.—Subchapter I of chapter 57 of  
5 title 38, United States Code, is amended by adding at the  
6 end the following new section:

7 **“§ 5706. Security of sensitive personal data**

8 “(a) COMPREHENSIVE CREDIT SERVICES.—In the  
9 event of a data breach with respect to data processed or  
10 maintained by the Secretary, the Secretary shall provide  
11 comprehensive credit services to an individual whose sen-  
12 sitive personal data is potentially compromised as a result  
13 of the data breach upon the request of the individual.  
14 Comprehensive credit services under this subsection shall  
15 include each of the following:

16 “(1) Credit reporting and monitoring services  
17 for not less than 12 months beginning on the date  
18 on which the Secretary notifies the individual of the  
19 data breach.

20 “(2) Credit alerts and security freezes.

21 “(3) Identity theft insurance in a coverage  
22 amount that does exceed \$30,000 in aggregate liabil-  
23 ity for the insured.

24 “(4) Fraud resolution services designed to as-  
25 sist the individual in recovering and rehabilitating

1 the individual's credit in the event of identity theft  
2 or fraud.

3 “(5) Any other service that the Secretary deter-  
4 mines is appropriate.

5 “(b) NOTIFICATION OF DATA BREACH.—The Sec-  
6 retary shall notify any individual whose sensitive personal  
7 data is compromised as a result of a data breach with re-  
8 spect to data processed or maintained by the Department.  
9 Upon assessment of the personal impact of the security  
10 breach, each individual whose personal information was  
11 compromised shall be notified as promptly as possible.  
12 Such notification shall include a description of the com-  
13 prehensive credit services available under this section and  
14 instructions for requesting such services.

15 “(c) AUTHORITY TO CONTRACT FOR SERVICES.—The  
16 Secretary shall enter into such agreements and contracts  
17 as may be necessary to provide the comprehensive credit  
18 services under subsection (a).

19 “(d) DEFINITIONS.—For the purposes of this section:

20 “(1) The term ‘data breach’ means the loss,  
21 theft, or other unauthorized access to data con-  
22 taining sensitive personal data, in electronic or  
23 printed form, that results in the potential com-  
24 promise of the confidentiality or integrity of the  
25 data.

1           “(2) The term ‘sensitive personal data’ means  
2           the name, address, or telephone number of an indi-  
3           vidual, in combination with any of the following:

4                   “(A) The Social Security number of the in-  
5                   dividual.

6                   “(B) The date of birth of the individual.

7                   “(C) Any information not available as part  
8                   of the public record regarding the individual’s  
9                   military service or health.

10                  “(D) Any financial account or other finan-  
11                  cial information relating to the individual.

12                  “(E) The driver’s license number of the in-  
13                  dividual.

14           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
15   are authorized to be appropriated such sums as may be  
16   necessary to carry out this section.”.

17           (b) CLERICAL AMENDMENT.—The table of sections  
18   at the beginning of such chapter is amended by inserting  
19   after the item relating to section 5705 the following new  
20   item:

          “5706. Security of sensitive personal data.”.

21           (c) DEADLINE FOR REGULATIONS.—Not later than  
22   90 days after the date of the enactment of this Act, the  
23   Secretary of Veterans Affairs shall publish regulations to

- 1 carry out section 5706 of title 38, United States Code,
- 2 as added by subsection (a).

